

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

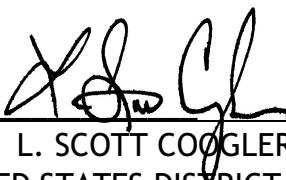
STEPHEN P. HORNFECK,)
)
)
Plaintiff,)
)
v.)
) 2:06-cv-00958-JEO
BOB WILLIAMS and THE SHELBY)
COUNTY PUBLIC DEFENDERS)
OFFICE,)
)
Defendants.)

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on October 23, 2006, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

Done this 21st day of November 2006.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
124153